IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

WP(C).No. 23342 of 2007(D)

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PETITIONER:

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NEETHU ANTONY,
W/O.MATHEW, THELAPPILLY HOUSE,
KARUVANOOR P.O., PUTHENTHODU - 680 711.

BY ADV. SRI. T.RAVIKUMAR
SMT.G.AMBILI

RESPONDENTS:

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1. THE REGISTRAR,
UNIVERSITY OF CALICUT,
CALICUT UNIVERSITY P.O.,
CALICUT- 673 635.

2. THE PRINCIPAL,
ST.JOSEPH'S COLLEGE, IRINJALAKKUDA- 680 121,
THRISSUR DISTRICT.

BY SRI. P.C. SASIDHARAN -SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**S. SIRI JAGAN, J.**

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**W.P.(C)NO.23342 OF 2007**

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**DATED THIS THE 10th DAY OF AUGUST, 2007**

**JUDGMENT**

The petitioner appeared for the 3rd Semester Examination of the M.A. Degree Examination conducted in March, 2007. The petitioner approached this Court earlier, aggrieved by non-declaration of her results. Non-declaration was on account of the fact that there was shortage of attendance which made her ineligible for appearing in the examination. In W.P.(c)No.18761/07 I had issued a direction to the Syndicate to consider the petitioner's application for condonation of shortage of attendance sympathetically, within one month from the date of receipt of a copy of the judgment. However, the petitioner's representation was not considered by the Syndicate on 25.7.2007, when the syndicate met. The petitioner has approached this Court again with this writ petition because the last date for submitting application for the hall ticket for the 4th Semester Examination is 10.8.2007 and she would be eligible to write the 4th Semester Examination only if her results of her 3rd Semester Examination are declared. The petitioner, therefore, seeks the following reliefs.

"i. To issue a writ of mandamus or any other appropriate writ, order or direction directing the University to publish the result of the 3rd Semester Examination conducted on 1.3.2007, 5.3.2007, 7.3.2007 & 17.3.2007 with respect to the petitioner.

ii. To direct the University to permit the petitioner to appear for the 4th Semester examination provisionally, pending disposal of the representation P4 submitted by the petitioner.

iii. To direct the University to permit the petitioner to apply for hall ticket for the 4th semester examination".

2. The fact that there is shortage of attendance is not disputed before me. The counsel for the University submits that the shortage of attendance is beyond the condonable limit even by the Syndicate. In such circumstance, I cannot direct the University to condone the shortage of attendance, against the rules applicable.

In the above circumstance, I am not inclined to entertain this writ petition and accordingly, the same is dismissed.

**S. SIRI JAGAN, JUDGE**

Acd